

ACCIDENT PREVENTION ON CONTRACT WORK

1. Purpose. This appendix states responsibilities for the enforcement of accident prevention measures on contract work managed by the Portland District. The accident prevention provisions shall be given the same emphasis as other contract provisions for control of work. The contractor shall be required to comply with established safety requirements. The prime contractor shall assume responsibility for compliance by all their subcontractors.

2. Applicability. This appendix is applicable to all Portland District elements who oversee contractor activities.

3. References.

a. EM385-1-I

b. Title 29, CFR Part 1926

4. Specifications.

a. In addition to EM 385-1 - 1, Safety and Health Requirements Manual, the specifications for all contract work will include other requirements necessary to ensure a high standard of safety performance by the contractor.

b. This requirement applies equally to construction contractors and service contractors. This applies to most service contracts, however, not small purchase orders.

5. Contractor's Accident Prevention Plan.

a. For large construction contracts the Commander will send a letter to each contractor following a contract award to ensure cooperation, coordination, and an understanding in the application of the accident prevention requirements of the contract. The letter will reference the requirements for a written accident prevention plan, AHA and pre-work conference.

b. The contractor's written accident prevention plan will be carefully reviewed by the Government official in charge of the work. The plan can either be accepted or returned to the contractor at that level. When accepted, a copy will be forwarded through CENWP-EC to CENWP-CT for inclusion in the contract files.

c. Documentation will show the plan has been accepted and by whom the action was taken. The plan will include all the elements of Appendix A, EM 385-1-1.

d. When contract specifications require a site safety and health plan (SSHP), the SSHP will include the accident prevention plan. When a SSHP is required, a separate accident prevention plan submittal will not be required.

6. Pre-construction Safety Meeting.

a. The area/project office with responsibility to administer the contract shall schedule and conduct the pre-construction safety meeting. Normally, the pre-construction meeting should deal with all phases of the work. For the safety portion to be successful, three factors should be included.

(1) The written accident prevention plan should have been previously submitted by the contractor, then reviewed and accepted by Corps representatives.

(2) Contractor personnel, who provide on-site supervision of the job, will attend the meeting.

(3) If the work takes place on a Government installation, safety representatives from the installation will attend the meeting.

b. The following items are recommended subjects for discussion:

(1) Discuss any questionable areas of the written accident prevention plan.

(2) Discuss any unusual hazards which may be found during construction.

(3) Ensure the contractor understands the requirements for an AHA (EM 385-1-1, Section 1, Para I.A.O5).

(4) Ensure installation safety personnel understand what their authority and responsibilities are in regard to contractor operations.

(5) Clearly define the areas of responsibility and authority of USAGE representatives to enforce safety.

7. Responsibility of Government Employees Assigned to the Project. Whenever any Government employee observes that a condition or work situation is creating a risk to life or limb (imminent danger situation), the employee will immediately take the following actions:

a. Direct contractor's representatives to immediately remove workers from the area of danger and cease dangerous practice(s).

b. If the contractor's representative is not at the location of the dangerous condition, the employee will direct the workers to remove themselves from the dangerous location and cease the hazardous operation.

c. If the contractor refuses to comply with the above actions, the Government employee should immediately request the contracting officer's representative to issue a written "stop work order" IAW provisions of the contract.

8. Stop Work Order. If all attempts to secure voluntary compliance with safety requirements are not successful, the contracting officer's representative may issue a "stop work order." The order applies only to that portion of the work that is affected by the actions or lack of actions by the contractor. All of the facts of the proceedings must be documented in writing. The contractor shall be informed in writing of the extent of the stoppage of work, the date and hour work has been stopped, the reason for the action, and the conditions under which work may proceed again.

9. Quality Assurance Reports. Each quality assurance report will contain a written record of observations, the orders issued, and the action taken on accident prevention matters.

10. AHA.

a. An AHA will be developed at the beginning of any major phase of construction to review the specific hazards anticipated and the measures planned to eliminate them.

b. The AHA will be prepared and accepted at the field office level. AHAs will be made available for review during safety surveys of the respective projects. AHAs will be reviewed with employees actually performing the work as the job progresses (tool box safety meetings).

11. Employee Conduct. When a contractor's employee endangers himself/herself or others by flagrant disregard of safety and health regulations, the contractor will be requested to discharge the offender in accordance with the contract clauses entitled, "Material and Workmanship."

12. Department of labor (DOL) Visits. When a DOL or state compliance officer of the Occupational Safety and Health Administration (OSHA) requests entrance to the contractor work-site, this is a matter between the contractor and DOL.

a. The CE representative may elect to accompany the contractor representative and the compliance officer.

b. In order to keep track of the impact of OSHA inspections on contractors, the District SOHO will be advised of any DOL inspections or investigations and the results. The CE representative should notify the SOHO, by phone, when notice of an impending OSHA inspection or investigation is received or an inspector shows up at the site without prior notice. Written reports or citations will be obtained by the CE representative and forwarded to the District SOHO.